

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7347

BILL NUMBER: SB 590

NOTE PREPARED: Feb 19, 2013

BILL AMENDED: Feb 18, 2013

SUBJECT: Dental Matters.

FIRST AUTHOR: Sen. Mishler

FIRST SPONSOR: Rep. Bacon

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Voluntary Charitable Permit*- The bill establishes a limited voluntary charitable permit for dental hygienists and dentists.

Adds R.D.H. as Title- The bill adds "R.D.H." to the titles to be used for a dental hygienist.

Dentist Compliance Fee- The bill adds a \$20 compliance fee that a dentist and a dental hygienist must pay at license renewal.

Repealer- The bill repeals provisions requiring that continuing education courses for dental hygienists and dentists be made available in all Indiana geographic regions.

Unaccredited Dental College Requirements- The bill sets forth requirements for dental applicants who have graduated from an unaccredited dental college located outside the United States.

Registered Dentist Owner & Operators- The bill sets forth requirements that a person who is not a licensed dentist must meet in order to own, operate, conduct, or maintain a dental office.

Dentures Marked with SSN- The bill removes a requirement that dentures must include a patient's Social Security number (SSN).

Effective Date: July 1, 2013.

Explanation of State Expenditures: Summary: The Professional Licensing Agency may require an increase

in administrative time in order to process the additional fee revenue, voluntary charity permits, and dentist office registrations the bill would generate. The PLA already tracks mobile dental facilities and dental offices that administer anesthesia and sedation. It is likely the PLA would be able to accomplish these tasks within existing resources.

The Dentistry Board would likely be able to carry out its responsibilities under the bill within its existing allotment of business meetings.

(Revised) *Registered Dentist Owner & Operators*- The bill would allow the Attorney General (AG) to seek injunctive relief in any circuit or superior court to stop a person from not complying with this provision of the bill. It is likely that the AG would be able to seek injunctive relief under the bill within existing staffing levels of the AG's Office.

Background Information- There were 3,897 dentists and 4,854 dental hygienists with an active license as of September 2012.

Explanation of State Revenues: (Revised) *Dentist Compliance Fee*- Assuming recent trends in dental hygienist and dentist licensing renewals hold, it is estimated the fee would generate approximately \$177,000 over the FY 2014 - FY 2015 biennium. The compliance fee revenue would be deposited into the Dental Compliance Fund.

Voluntary Charitable Permit- The Dentistry Board would set the permit fee for the charitable permit. The added revenue would depend on the fee and the number of permits issued.

Unaccredited Dental College Requirements- The impact of this provision on licensing revenue is indeterminable and depends on the number of applicants successfully completing the bill's requirements in future years.

Registered Dentist Owner & Operators- The bill would require dental offices to register with the Dentistry Board. The bill does not specifically establish a registration fee. The bill would allow the Board to adopt rules to implement office registration procedures. Additionally, the bill would establish a Class A misdemeanor for violations of the dental office registration provision. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class A misdemeanor is \$5,000. However, any additional revenue would likely be small.

Background Information- The Dental Compliance Fund had total assets of \$63,826 at the close of FY 2012.

Explanation of Local Expenditures: *Registered Dentist Owner & Operators*- A Class A misdemeanor is punishable by up to one year in jail.

Explanation of Local Revenues: *Registered Dentist Owner & Operators*- If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: State Board of Dentistry, Professional Licensing Agency; Attorney General.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Professional Licensing Agency; State Auditor's Report year-end FY 2012.

Fiscal Analyst: Chris Baker, 317-232-9851.